

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

MINUTES

Date:	Tuesday, April 16, 2002	Time:	3:00 pm	Place:	Governor's Board Room
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Members Present	Mike Sibbett, Dan Becker, Georgia Block, Paul Boyden, Afton Bradshaw, Gary Dalton, Karen Hale, Judge Kay Lindsay, Rich McKelvie, Val Shupe, Mike Spanos, Kirk Torgenson (for Mark Shurtleff)
Members Excused	Mike Chabries, Blake Chard, Leon Povey, Reed Richards, Dave Yocom
Members Absent	Sue Behle, Bob Flowers, Judge Peuler, Greg Skordas
Staff	Ed McConkie, Susan Burke, Marvin Dodge, Gary Franchina, Reg Garff, Ron Gordon, Mike Haddon, Russ Van Vleet, Dave Walsh, Doreen Weyland,
Guests	Derek Jensen (Deseret News)

Agenda Item:	WELCOME AND APPROVAL OF MINUTES – Mike Sibbett
Notes:	<p>Mike Sibbett welcomed everyone and announced Camille Anthony's new appointment by the Governor to head the Department of Administrative Services. Mike presented Camille with a gift from the Executive Committee and everyone wished her well in her new appointment.</p> <p>Mike introduced Ed McConkie as the new Executive Director of CCJJ and Ron Gordon as the new Sentencing Commission Director. Congratulations to all.</p> <p>Ed McConkie introduced Chief Val Shupe from So. Ogden, as the Chiefs' Association representative on the Commission.</p> <p>Senator Karen Hale made a motion to approve the December 16, 2001 minutes. Second: Gary Dalton. The motion was unanimously approved.</p>

Agenda Item:	SERIOUS YOUTH OFFENDER LAW STUDY – Ed McConkie
Notes:	<p>Ed McConkie distributed the revised SYOL Study with Russ Van Vleet highlighting a portion of the report that raises questions about the intent of the serious youth offender law and the ramifications of the law as it has been implemented.</p> <p>Ed McConkie reported the Sentencing Commission's Juvenile Justice Subcommittee is looking at difficult issues and proposed revisions to the current law. The recommendations will be made to the full Sentencing Commission and a report will be given to this Commission at a future meeting. On a positive note,</p>

	<p>SB26 was passed in the 2002 Legislative Session as a result of this study. It closed the loop hole on automatic transfers from youth to the adult system due to a felony committed within a secure facility. In addition, SB26 remedied <u>State v. Tunsj</u>, where a lesser included offense that is transferred to the District Court would have been sent back to Juvenile Court.</p> <p>Gary Dalton made a motion to thank Russ Van Vleet and his associates in researching and preparing the report and moves that CCJJ adopt the revised Serious Youth Offender Law Study. Second: Afton Bradshaw. The motion was unanimously approved.</p>
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Agenda Item:	CCJJ Priorities – Ed McConkie
Notes:	<p>Ed McConkie presented CCJJ's priorities list to the Commission with the following explanations and descriptions (items are not listed in order of priority):</p> <p><u>Drugs and Related Crime</u></p> <p><i>Repeal Initiative B:</i> Initiative B put restrictions on forfeiture proceedings in Utah. Marvin Dodge indicated USAAV will take the lead, along with the Attorney General's office, on revising Initiative B.</p> <p><i>Intermediate Sanctions for Drug Offenders:</i> CCJJ has received an invitation from the legislature inviting progress reports on safe alternatives to incarceration for drug offenders. CCJJ will start providing reports in September.</p> <p><i>DUI Council Recommendations Implementation:</i> The Council wants to appear before CCJJ to make sure issues remain in force when the Executive Order terminates the council.</p> <p><i>Drug Courts/Substance Abuse Treatment:</i> USAAV Treatment Committee is reviewing a study from Salt Lake County drug court showing improvements. They will also be looking at recidivism rates.</p> <p><i>Truancy in the Schools:</i> Georgia Block would like truancy in the schools added to the list. She indicated 5th and 6th grade problems develop into certain patterns in Jr and Sr. High School students. High schools are losing up to 200 students per year due to truancy.</p> <p><i>Drug Courts:</i> Dan Becker commented on funding issues surrounding drug courts. Historically, funding has been provided from tobacco settlements, but now there are long term implications on funding drug courts. The Commission may want to review of how federal money is being spent and see if there is any opportunity to use more federal money for state drug courts.</p> <p><i>Draft Drug Offender Sentencing Matrix:</i> The Guidelines Revision Subcommittee of the Sentencing Commission is working on the draft drug offender sentencing matrix. The matrix provides information based on sentencing trends in sentencing drug offenders. It might be beneficial to develop a separate drug offender matrix for Meth.</p>

Family and Community Violence

Homeland Security: DPS has expanded Comprehensive Emergency Management to include homeland security. Byrne money was applied to the homeland security efforts. Issues need to be addressed regarding responsibility, housing and funding. There is pressure from the Department of Justice to focus grant dollars on domestic terrorism.

Redefined State Response to Domestic Violence: With Diane Stewart moving to Washington, DC, discussion on domestic violence issues needs to take place.

Mental Health Service for Youth: Susan Burke provided information regarding Juvenile Justice Courts identifying mental health as an issue regarding services for juveniles. There is concern over the lack of training in identifying youth with mental illness. CCJJ will work with NYC, courts and mental health to better utilize resources.

Cross Education on Mental Retardation: The Executive Committee has recommended this subcommittee provide a final report to the Commission. Dave Walsh will meet with the subcommittee to facilitate this report. The report will be used to hand off to the new Forensic Coordinating Council.

Partner with UDC & NYC in Re-entry Initiatives: Corrections is staffing a committee with legislature, department heads, etc. to address re-entry initiatives. CCJJ is applying for a federal grant with Youth Corrections to supplement community resources in an attempt to increase parolee success.

Sex Offender Plea Negotiation Study: This study was initiated by the Sentencing Commission. The Consortium is addressing this and hoping the study will be finalized by late summer.

Technology

Governor Technology Initiative: A presentation was made to Governor Leavitt on a system that contains all state information. He wants the technology to be the pioneer of all of state government; providing a seamless system. It is anticipated in the near future a DPS trooper will be able to recall all information in one query.

Criminal History Audit: Mike Haddon provided an update on the criminal history audit indicating Gary Franchina will lead the audit. The outcome will provide a consistent methodology that will be approved by other branches of state government and it creates a methodology for year to year comparisons.

System Accountability

CCJJ Research Consortium Development: The Consortium has the potential to expand research capabilities for CCJJ.

Research and Evaluation Projects:

Serious Youth Offender Tracking Update

Homicides in 2000 Study: Mike Haddon indicated Utah is participating with five other states in a homicide study. It focuses on in-depth detail analysis. The

	<p>information will be provided to the federal government to do detail analysis.</p> <p><u>Racial Profiling</u>: Representative Bordeaux's bill passed. CCJJ will be the evaluating entity that will process and report.</p> <p><u>Juvenile Sentencing Guidelines Study</u>: Respond to the Racial and Ethnic Fairness Commission on Juvenile Sentencing Guidelines.</p> <p><u>Adult Sentencing Guidelines Study</u>: Review and revise.</p> <p><u>UDC Re-Entry</u>: Department of Corrections will review its' re-entry program and the recidivism rate from the program.</p> <p><i>Cultural Competency Training for CCJJ Staff</i>: Susan Burke explained this priority from UBJS, in response to the Racial and Ethnic Task Force indicating youth do not have adequate legal representation. There is a need for training attorneys in the juvenile justice system.</p> <p><i>Work for Diversity on Judicial Nominating Commissions</i>: Minorities are concerned about the membership of district and appellate courts and the need for more diversity.</p> <p><i>Develop Utah Training Standards for Fugitive Transportation</i>: CCJJ will convene a working group to address issues surrounding extraditions. Included will be use of private transport as well as types of crimes to extradite.</p> <p><i>Racial and Ethnic Fairness Commission Recommendations and Implementation</i>: CCJJ is coordinating responsibilities and other recommendations with members on the Commission.</p> <p>It was suggested CCJJ highlight priorities that need to be worked on for the first quarter and attach deadlines and time lines.</p>
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Agenda Item:	2002 Legislation – Ron Gordon
Notes:	Ron Gordon presented a tri-fold document containing summaries of criminal justice bills from the 2002 Legislative Session. The document is located on CCJJ's web page.

Agenda Item:	2002 & 2003 Budgets – David Walsh
Notes:	Dave Walsh provided comments on 2002/2003 budget issues. Overall the budget has been reduced \$256 million. The Special Session will focus on fixing one budget item dealing with appropriations from the rainy day fund - about \$45 million.

Agenda Item:	Thefts from Automobiles Presentation – Mike Haddon
<p>Notes:</p>	<p>Mike Haddon provided the presentation <i>Theft from Automobiles: Using Data to Address Community Problems</i>. This is an effort in crime mapping.</p> <p>The report used data from incident based reporting. Information was provided from Roy City utilizing NIBRS data. Incident based reporting will allow more information to be available for local agencies to make tactical decisions on management of their crime.</p> <p>The cost of this type of research is approximately \$7,000, however, it is less costly to replicate the study. It is suggested CCJJ train local entities and work with law enforcement to replicate the study using their own information.</p> <p>A multimedia version of the presentation is available at www.justice.utah.gov.</p>

Agenda Item:	Future Meeting Dates – Mike Sibbett
<p>Notes:</p>	<p>Mike Sibbett indicated the statute requires meetings every other month. Therefore, the following dates have been set for future meetings:</p> <p>June 18 August 20 October TBD (Annual Meeting) December 17</p>

Minutes prepared by D. Weyland